

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

CA NO. 3:05-CV-02858-MJP

UNITED STATES OF AMERICA, ex rel.,
MICHAEL K. DRAKEFORD, M.D.,

Plaintiffs,

v.

TUOMEY d/b/a TUOMEY HEALTHCARE
SYSTEM, INC.

Defendant.

DECLARATION OF THERESA A. SCHULTZ

I, Theresa A. Schultz, being over eighteen years of age and otherwise competent to testify, do depose and state as follows based upon my personal knowledge:

1. I am employed by the Centers for Medicare & Medicaid Services (CMS). Since January 2006, I have served as the Contracting Officer for Program Safeguard and Zone Program Integrity Contracts.

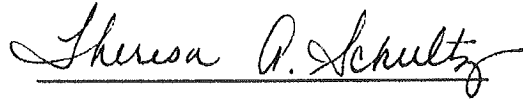
2. Tricenturion, Inc., served as a Program Safeguard Contractor (PSC), under contract to CMS, for certain geographical locations, including South Carolina, from September 27, 2002, to October 31, 2009. Among other things, as a PSC, Tricenturion was expected to respond to requests for claims data from the Department of Justice and other federal law enforcement agencies investigating potential fraud in the Medicare program. As a PSC, Tricenturion had access to all of the relevant CMS

Medicare claims databases for their jurisdiction, including South Carolina.

3. On September 30, 2009, the duties that had been performed by TriCenturion as the PSC for South Carolina were awarded by contract to another company. On October 31, 2009, Tricenturion's PSC contract expired. CMS extended Tricenturion's contract through November 16, 2009, for purposes of historical archive work only. After October 31, 2009, Tricenturion would not have been permitted to respond to data requests from the Department of Justice regarding claims submitted to Medicare by a South Carolina hospital.

I hereby certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: 1/19/10



Theresa A. Schultz